

PATENT  
Customer No. 22,852  
Attorney Docket No. 04853.0073

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Hisashi SEMBA et al. ) Group Art Unit: 1651  
)  
Application No.: 09/870,821 ) Examiner: S. Saucier  
)  
Filed: June 1, 2001 )  
)  
For: AN ENZYME REACTION METHOD )  
AND A METHOD FOR )  
ENZYMATICALLY PRODUCING )  
AN OPTICALLY ACTIVE )  
CYANOHYDRIN )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the document listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p). Please charge \$180.00 to Deposit Account No. 06-0916.

The document listed in this Information Disclosure Statement was first cited in a communication from the European Patent Office in a counterpart foreign application, and this Information Disclosure Statement is being filed within three months of the mailing date of that

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communication. A copy of the communication from the European Patent Office dated November 6, 2003 is enclosed.

The EPO communication lists four references but three of the four references were previously submitted in an Information Disclosure Statement filed December 28, 2001. Thus, only the remaining reference is attached.

Applicants respectfully request that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claims in the application and Applicants determine that the cited document does not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any additional fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

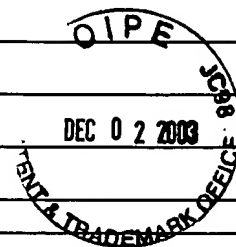
By: 

William R. Lambert  
Reg. No. 44,857

Dated: December 1, 2003

## INFORMATION DISCLOSURE CITATION

Atty. Docket No.	4853-0073-00000	Appln. No.	09/870,821
Applicant	Hisashi SEMBA et al.		
Filing Date	June 1, 2001	Group:	1651



## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

## FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
EP 0 547 655 A	06/23/1993	EPO	C12P	13/00	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce